



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/529,988

03/31/2005

Rohit V. Kapoor

CA920020072US1

2266

45502 7590 08/31/2010
DILLON & YUDELL LLP
8911 N. CAPITAL OF TEXAS HWY.,
SUITE 2110
AUSTIN, TX 78759

EXAMINER

LI, SUN M

ART UNIT

PAPER NUMBER

3622

MAIL DATE

DELIVERY MODE

08/31/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/529,988	Applicant(s) KAPOOR ET AL.	
	Examiner SUN LI	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This communication is a final action in response to amendments and remarks filed on 6/16/2010. The amendment has cancelled no claims. No new claim was added and claims 1, 4, 21-22, and 28 were amended. Thus, the currently pending claims addressed below are claims 1-28.

Specification

2. An amendment made to the title is acknowledged.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1- 22 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lahti et al. (hereinafter Lahti, International Pub. No. WO 98/42173), in view of Kleindienst et al. (US Pub. No. 2004/0019487 A1).**

As per claim 1, 21, and 22, Lahti discloses a method, a system and a computer program product for generating a Short Message Services (SMS) business message for processing by a software application in a SMS commerce infrastructure system, comprising:

- generating, by the server, a SMS message instance (SMS MI) which is categorized based on the type of SMS business message format selected by the business user (Fig.3, item 31, 34-37; p.6, ln. 10-28; p.7, lines 16-33);
- transmitting, by the server, the SMS MI to a wireless gateway for delivery of the SMS MI to a mobile recipient (Examiner Note: Lahti teaches transmitting the SMS through the cellular radio system to the bank's user interface server to perform the user's request, it does not require that the exchange of messages occur initiated by the user, p.2, ln. 6-18, p. 2, ln.20-35, p.3, ln. 1-13; the user interface server makes the necessary protocol conversions between the communication protocols used by the short message service center and the self service unit., p. 3, ln. 20-35; the service unit produce a so-called payment template, p.7, lines 26-33);
- receiving from the mobile recipient an incoming SMS message in response to the SMS MI that was transmitted by the server to the mobile recipient such that an inbound template identification (ID) is extracted from the incoming SMS message by a runtime processor of the server (Fig.3, p.7, lines 26-33, payment template; transferred as a short message);
- parsing, by the server runtime processor, the incoming SMS message to decode data of the incoming SMS message using an inbound template retrieved by the runtime processor from an inbound template database based on the extracted inbound template ID, such that the retrieved inbound template is associated with the selected type of SMS business message format of the SMS MI that was sent to the mobile recipient (p.5, ln. 20-32; p.7, ln. 9-18; p.8, line 22-29; p.11, ln. 5-7); and

- routing, by the server, the decoded data of the incoming SMS message to a software application disposed in the server for processing of the decoded data under control of the software application (p.8, line 24, authorized to use, ln. 22-33, reply creates an acknowledge message).
- autonomously validating, by the server, the data retrieved by the server DCI by comparing the data entered at the GUI to the SMS UET which has been retrieved by the server, to ensure that there are no data parameter errors and to ensure that the new SMS business message is properly formatted for the selected type of SMS business message format; (short messages are transformed in the form of signaling and does not require telephone connection between the connection and the user terminal and a base station, short messages are delivered error-free even if the conditions are bad; p.4, ln. 2-7; p. 6, ln. 20-23.

However, Lahti does not explicitly disclose

- preparing, by a business user, a new SMS business message to be sent to a mobile recipient such that the business user uses a graphic user interface (GUI) of a computer to invoke a SMS message composing wizard (SMS MCW) which is accessed by the GUI such that the SMS MCW retrieve a SMS universal encoding template (SMS UET) which includes predefined data parameters for existing categorization (types) of SMS business messages to automatically facilitate the preparation of the new SMS business message by the business user such that the business user selects, using the SMS MCW, an existing type of SMS message format defined by the SMS UET and then enters data at the GUI based on pre-defined data parameters for the existing selected type of SMS

business message format to automatically prepare the new SMS business message

- retrieving, by a data collection interface (DCI) of a server which is in communication with the computer, the data entered at the GUI of the computer by the business user to prepare the new SMS business message.

Kleindienst teaches multi-modal messaging to allow user to compose, send and retrieve messages using speech or GUI or message templates which are stored in a library of message templates in mobile phones. Users can personalize their messages using the collection of message templates by category and keyword to fit their social interaction need. (Abstract, Fig. 2, Fig. 43, item 43, 44, 45, 49, 50, [0010], composing a message responsive to the user input using on or more message templates, and forwarding the message to a target recipient using a messaging protocol; [0011], the message templates are grouped into one or more categories or sub-categories, wherein each category and sub-category comprises one or more keyword; [0031], [0034], [0035], [0036], [0039], [0085], select the type of message to send, SMS, by mobile; Table, 1, Table 2, [0083], [0089]); . Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Lahti by including the list of predefined message templates that drive most of the messages and limit the grammars and vocabulary errors to input and encode short message easier, less time consuming and less burdensome, as per teachings of Kleindienst.

As per claim 2, Lahti further discloses the method of claim 1, wherein the transmitting of the generated categorized SMS MI includes transmitting the SMS MI over a telephone

Art Unit: 3622

network to the mobile recipient (Fig.3, p.1, ln. 11, p.7, lines 26-33, transferred as a short message).

As per claim 3, Lahti further discloses the method of claim 2, wherein the SMS MI comprises:

- a message text entry field for alerting the mobile recipient about a commerce event (p.2, line 12, banking service); and
- an encryption string entry field (p.3, lines 25-26, user name, password).

As per claim 4, Lahti further discloses the method of claim 1, however, Lahti does not explicitly disclose further comprises:

- preparing, by a business user, a new SMS business message type for a new SMS business message to be sent to the mobile recipient such that the business user uses a graphic user interface (GUI) to invoke a SMS message composing wizard (SMS MCW) to define a format for the new SMS business message type, which is currently undefined by the SMS UET, and to define a new inbound template for a new incoming responses SMS message from the mobile user which is to be associated with the new SMS message format;
- creating a new inbound template associated with the new SMS business message type to be used by the server runtime processor to parse and decode the new incoming SMS message, which is based on the new SMS business message type, sent by a mobile user in response to transmission to the mobile recipient of the new SMS business message; and

- updating the existing SMS UET to include new definitions associated with the new SMS business message type and updating the inbound template database to include the new inbound template associated therewith.

Kleindienst teaches multi-modal messaging to allow user to compose, send and retrieve messages using speech or GUI or message templates which are stored in a library of message templates in mobile phones. Users can personalize their messages using the collection of message templates by category and keyword to fit their social interaction need. (Abstract, Fig. 2, Fig. 43, item 43, 44, 45, 49, 50, [0010], composing a message responsive to the user input using on or more message templates, and forwarding the message to a target recipient using a messaging protocol; [0011], the message templates are grouped into one or more categories or sub-categories, wherein each category and sub-category comprises one or more keyword; [0031], [0034], [0035], [0036], [0039], [0085], select the type of message to send, SMS, by mobile; Table, 1, Table 2, [0083], [0089]); . Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Lahti by including the list of predefined message templates that drive most of the messages and limit the grammars and vocabulary errors to input and encode short message easier, less time consuming and less burdensome, as per teachings of Kleindienst.

As per claim 5, Lahti further discloses the method of claims 3, wherein said encryption string entry field is adapted to accept communication session identification data (p.6, line 24, verifies; lines 25-26, identified).

As per claim 6, Lahti further discloses the method of claim 5, wherein said session identification data may be used to associate a response to a sent message (p.6, line 26, authorized to use).

As per claim 7, Lahti further discloses the method of claim 6, wherein said session identification data may be used to identify a software application to process a response to a sent message (p.6, line 29-30, database language, response).

As per claim 8, Lahti further discloses the method of claim 3, wherein said encryption string entry field is adapted to accept security data (p.10, line 33, receiver's secret key).

As per claim 9, Lahti further discloses the method of claim 3, wherein said SMS MI further comprises:

A recipient authentication data entry field which is adapted to accept a personal identification number (PIN) from said mobile recipient (p.7, line 1, account number).

As per claim 10, Lahti further discloses the method of claim 3, wherein the SMS MI further comprises:

- a first recipient data entry field associated with a response indicator label, wherein said first recipient data entry field is adapted to allow a response to be inserted by a first mobile recipient (p. 7, line 25, username); and
- a second recipient data entry field associated with an authentication indicator label, wherein said second recipient data entry field is adapted to allow a response to be inserted by a second mobile recipient (p. 7, line 25, username, password).

As per claim 11, Lahti further discloses the method of claim 1, wherein the preparing of the new SMS business message comprises:

The SMS UET which includes categorization meta data defining a categorisation (type) of SMS business messages (Fig. 2, item 22-24, Fig. 3, item 34; p.5, ln. 27-29), wherein:

- the categorization represents a specific businesses intended usage (p.1, line 25, telephone banking);
- categorization meta data provides a definition of the categorization (Fig. 2, item 24, balance inquiry); and
- the categorization meta data is parsable by a data processing system for generating SMS business messages (p.2, ln. 1-15, transferring, short message type messages).

As per claim 12, Lahti further discloses the method of claim 11, wherein the SMS UET further comprises:

- a message entry field for insertion of a message entry of full SMS message length (at least 160 characters) for access by said mobile recipient, wherein (p.4, line 22, short character string);
- said template provides an additional field in said new SMS business message for categorization meta data (p.4, line 24, a header part); and
- said meta data provides instructions for encoding a business intended usage of said new SMS business message (p.5, line 19-20, information needed, command part, interpreted to mean).

Art Unit: 3622

As per claim 13, Lahti further discloses the method of claim 12, wherein said meta data includes instructions for dispatching said new SMS business message including instructions selected from:

- a message priority (p.7, line 10, a code, particular reply relates to);
- a delivery time (p.8, line 32, time);
- a number of recipients (p.7, line 13, user);
- a delivery channel (p.7, line 5-7, TCP/IP, short message service center, mobile switching center, base station);
- a need for confirmation (p.8, line 29, acknowledge) ;
- a need for authentication (p.8, line 22, username, password);
- a need for encryption (p.11, line 2-3, public key, secret key); and
- an intended web application to handle a response (Fig. 1, self service unit).

As per claim 14, Lahti further discloses the method of claim 12, wherein said meta data includes instructions for identifying a software application intended to handle an incoming response from the mobile recipient to said new SMS business message (Fig. 2, item 21-24; Fig. 3, item 31-37; p.6, line 29, database language).

As per claim 15, Lahti further discloses the method of claim 1, further comprising:

- requesting, by a mobile user, a list of available inbound templates from a website of the business user, such that in response to the mobile user's request for the list the server retrieves the SMS UET and based on the existing types of SMS business message formats indicated by the SMS UET a list of inbound templates

associated with the existing types of SMS business message formats is provided by the server to the mobile user (p.6, ln. 10-30, p.7, ln. 24-29); and

However, Lahti does not explicitly disclose selecting, by the mobile user, at least one inbound template from the list of available inbound templates.

Kleindienst teaches multi-modal messaging to allow user to compose, send and retrieve messages using speech or GUI or message templates which are stored in a library of message templates in mobile phones. Users can personalize their messages using the collection of message templates by category and keyword to fit their social interaction need. (Abstract, Fig. 2, Fig. 43, item 43, 44, 45, 49, 50, [0010], composing a message responsive to the user input using on or more message templates, and forwarding the message to a target recipient using a messaging protocol; [0011], the message templates are grouped into one or more categories or sub-categories, wherein each category and sub-category comprises one or more keyword; [0031], [0034], [0035], [0036], [0039], [0085], select the type of message to send, SMS, by mobile; Table, 1, Table 2, [0083], [0089]); . Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Lahti by including the list of predefined message templates that drive most of the messages and limit the grammars and vocabulary errors to input and encode short message easier, less time consuming and less burdensome, as per teachings of Kleindienst.

As per claim 16, Lahti further discloses the method of claim 15, further comprising: sending, by the server, the at least one inbound template selected by the mobile user to

Art Unit: 3622

be stored by the mobile user to be used by the mobile user to send at least one SMS business message request to the server (p.9, ln. 5-12).

As per claim 17, Lahti further discloses the method of claim 16, wherein said at least one SMS response message includes:

- an encryption string encoded with an encoding key (p.10. line 30, encryption, public key) ;
- identification information of a software application capable of processing said SMS response message (Fig. 1, self service unit; p.6, line 29, database language); and
- user authentication information (p.8, line 22, username, password).

As per claim 18, Lahti further discloses the method of claim 17, wherein:

- said server has access to said encoding key (p.10, line 29-30, encryption, public key); and
- said server has access to said inbound template (p.7, line 31-35, payment template).

As per claim 19, Lahti further discloses the method of claim 1, further comprising:

- receiving in the server the SMS response message sent from said mobile recipient in response to the sending of said SMS business message (Fig. 1, user interface server, p. 6, ln. 10-28); and
- tracking in a response tracking database said received SMS response message (Fig. 2. item 23-27, p.6, line 29-34, database language, response).

Art Unit: 3622

As per claim 20, Lahti further discloses the method of claim 19, further comprising:

- identifying and parsing said received SMS response message by said server using an inbound template selected from the inbound template database; (p.8, line 22-24, identified; line 29, acknowledge, p. 7, line 31-35, payment template) ; and
- processing said received SMS response message in said server and forwarding the processed SMS response message to a software application in the server to invoke a command by the software application (p.11, line 5, encrypt, sent; p.5, line 24-30, where T is a one-character command part).

As per claim 28, Lahti discloses a computer program product comprising software code which is directly loadable into a memory of a digital computer and which when executed by the digital computer a method for encoding outbound SMS business messages for a data processing system for transmission over a network, comprising:

- generating, by the server, a SMS message instance (SMS MI) which is categorized based on the type of SMS business message format selected by the business user (Fig.3, item 31, 34-37; p.6, ln. 10-28; p.7, lines 16-33);
- transmitting, by the server, the SMS MI to a wireless gateway for delivery of the SMS MI to a mobile recipient (Examiner Note: Lahti teaches transmitting the SMS from the user terminal through the cellular radio system to the bank's user interface server to perform the user's request, it does not require that the exchange of messages occur initiated by the user, p.2, ln. 6-18, p. 2, ln.20-35, p.3, ln. 1-13; the user interface server makes the necessary protocol conversions between the communication protocols used by the short message

- service center and the self service unit., p. 3, ln. 20-35; p.7, lines 26-33,
payment template; transferred as a short message), wherein
- categorization meta data defining the selected type(s) of said outbound prepare new SMS messages such that said commerce categorization (type) of said outbound SMS messages represent a specific intended usage of each outbound SMS message (Fig. 2, item 24, balance inquiry; Fig. 3, item 34, p.1, line 25, telephone banking; [0011], Examiner Note; "commerce" is a non-functional descriptive, no patentable weight given to "commerce");
 - wherein said categorization meta data provides definitions of each of said SMS messages and instructions that are parsable into semantic information used by said data processing system to encode and generate each said SMS MI for corresponding to said SMS business messages (p.2, lines 1-3, transferring, short message type messages; p.5, ln. 20-32; p.7, ln. 9-18; p.8, line 22-29; **p.11**, ln. 5-7).
 - autonomously validating, by the server, the data retrieved by the server DCI by comparing the data entered at the GUI to the SMS UET which has been retrieved by the server, to ensure that there are no data parameter errors and to ensure that the new SMS business message is properly formatted for the selected type of SMS business message format; (short messages are transformed in the form of signaling and does not require telephone connection between the connection and the user terminal and a base station, short messages are delivered error-free even if the conditions are bad; p.4, ln. 2-7; p. 6, ln. 20-23.

However, Lahti does not explicitly disclose

- preparing, by a business user, a new SMS business message to be sent to a mobile recipient such that the business user uses a graphic user interface (GUI) of a computer to invoke a SMS message composing wizard (SMS MCW) which is accessed by the GUI such that the SMS MCW retrieve a SMS universal encoding template (SMS UET) which includes predefined data parameters for existing categorization (types) of SMS business messages to automatically facilitate the preparation of the new SMS business message by the business user such that the business user selects, using the SMS MCW, an existing type of SMS message format defined by the SMS UET and then enters data at the GUI based on pre-defined data parameters for the existing selected type of SMS business message format to automatically prepare the new SMS business message;
- retrieving, by a data collection interface (DCI) of a server which is in communication with the computer, the data entered at the GUI of the computer by the business user to prepare the new SMS business message;

Kleindienst teaches multi-modal messaging to allow user to compose, send and retrieve messages using speech or GUI or message templates which are stored in a library of message templates in mobile phones. Users can personalize their messages using the collection of message templates by category and keyword to fit their social interaction need. (Abstract, Fig. 2, Fig. 43, item 43, 44, 45, 49, 50, [0010], composing a message responsive to the user input using on or more message templates, and forwarding the message to a target recipient using a messaging protocol; [0011], the message templates are grouped into one or more categories or sub-categories, wherein each

category and sub-category comprises one or more keyword; [0031], [0034], [0035], [0036], [0039], [0085], select the type of message to send, SMS, by mobile; Table, 1, Table 2, [0083], [0089]); . Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Lahti by including the list of predefined message templates that drive most of the messages and limit the grammars and vocabulary errors to input and encode short message easier, less time consuming and less burdensome, as per teachings of Kleindienst.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 23-27 are rejected under 35 U.S.C. 102(b) as being unpatentable over Lahti et al. (hereinafter Lahti, International Pub. No. WO 98/42173).

As per claim 23, Lahti discloses a method for processing an incoming e-commerce SMS response message received by a server from a mobile recipient responding to an outgoing e-commerce SMS message, comprising:

- receiving from the mobile recipient an incoming SMS message in response to the SMS MI that was transmitted by the server to the mobile recipient such that an

inbound template identification (ID) is extracted from the incoming SMS message by a runtime processor of the server ((Fig.3, p.7, lines 26-33, payment template; transferred as a short message);

- parsing, by the server runtime processor, the incoming SMS message to decode data of the incoming SMS message using an inbound template retrieved by the runtime processor from an inbound template database based on the extracted inbound template ID, such that the retrieved inbound template is associated with the selected type of SMS business message format of the SMS MI that was sent to the mobile recipient (p.5, ln. 20-32; p.7, ln. 9-18; p.8, line 22-29; p.11, ln. 5-7); and
- routing, by the server, the decoded data of the incoming SMS message to a software application disposed in the server for processing of the decoded data under control of the software application (p.8, line 24, authorized to use, ln. 22-33, reply creates an acknowledge message).

As per claim 24, Lahti discloses an SMS commerce message format for use in sending a commerce message over a network to a mobile recipient, comprising:

- a message text entry field for alerting a mobile recipient about a commerce event identified in the message text entry field (p.2, line 12, banking service; Examiner Note; as "commerce" is a non-functional descriptive, no patentable weight given to "commerce");
- an encryption string entry field (p.3, lines 25-26, user name, password).
- a response indicator label (p.5, line 20, command);

Art Unit: 3622

- a recipient data entry field associated with said response indicator label (p.3, line 25, username);
- a recipient authentication indicator label (p.5, line 20, command); and,
- a recipient authentication data entry field associated with said recipient authentication indicator label (p.3, line 26, password),
- wherein each of said fields and said indicator labels of said commerce message are automatically filled in with data input on a graphic user interface of a computer by a business user utilizing a SMS message composing wizard (SMS MCW) disposed in the computer which is accessed by the GUI and when retrieves a SMS universal encoding template (SMS UET) which includes pre-defined data parameters for existing categorizations (types) of SMS business message formats to automatically facilitate the filling in of said data into said fields and said indicator labels corresponding to an existing type of SMS business message format which is selected by the business user as said SMS commerce message format (p.7, ln. 33-35, p. 8, ln. 3-4, ln. 31-33; Examiner Note; as "commerce" is a non-functional descriptive, no patentable weight given to "commerce").

As per claim 25, Lahti further discloses the SMS message format of claim 24, wherein said encryption string entry field is adapted to accept communication session identification data (p.6, line 24, verifies; lines 25-26, identified).

As per claim 26, Lahti further discloses the SMS message format of claim 24, wherein said encryption string entry field is adapted to accept security data (p.10, line 33, receiver's secret key).

As per claim 27, Lahti further discloses the SMS message format of claim 24, wherein said recipient authentication data entry field is adapted to accept a PIN number from said mobile recipient (p.7, line 1, account number).

Response to Arguments

5. Applicant's arguments with respect to claims 1, 21, 22 and 28 have been considered but are moot by the rejections necessitated by the amendments.

Firstly, Applicant argues that Lahti does not disclose transmitting, by the server, the SMS MI to a wireless gateway for delivery of the SMS MI to a mobile recipient. The Examiner asserts that Lahti teaches the users sending a short message which is taken to a base station of the cellular radio system, then to mobile switching center, further to a short message service center, and finally to the bank's user interface server which is the receiver of the short message which read on the claim. Here, the bank's user interface server is identified by keying the code as users use different codes to indicate the network they are in since short message are sent in the form of signaling (p.6, ln. 10-23). Therefore, transmitting the SMS through the cellular radio system to the bank's user interface server to perform the user's request does not require that the exchange of messages occur initiated by the user, (p.2, ln. 6-18, ln.20-35; p.3, ln. 1-13); the user interface server makes the necessary protocol conversions between the communication protocols used by the short message service center and the self service unit, (p. 3, ln. 20-35); since short messages are transformed in the form of signaling and does not

require telephone connection between the connection and the user terminal and a base station, so short messages can be transferred during a call (p.4, ln. 2-7; p. 6, ln. 20-23).

Secondly, Applicant also argues that the payment template disclosed in Lahti is not generated at the server. Lahti teaches a so-called payment template produced by the service unit. This payment template is generated by the bank's server and then sends to the user terminal to allow the user to edit. (p.7, lines 26-33). Or the payment template or other short messages templates are stored in the memory media of the user's terminal. Therefore the payment templates are generated by the server, and are stored in the memory medium of the user terminal so that the self service unit in the bank's computer system need not to send the template in the form of short message (p. 9, ln. 5-10).

Arguments directed to the amendments to the claims have been addressed in the rejection above. It is noted that additional section of Lahti different from that in the prior Office Action is now cited to help clarify and support the examiner's rejection. Therefore, the Examiner maintains the rejection to the Applicant's claims.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUN LI whose telephone number is (571)270-5489. The examiner can normally be reached on Monday-Thursday 6:30AM-5 PM EST Eastern Standard Time. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on 571-272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

Art Unit: 3622

Customer Service Representative or access to the automated information system, call
800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SL/

Patent Examiner, AU 3622

/John Van Bramer/

John Van Bramer

Primary Examiner, Art Unit 3622